

## Section 1: Overview

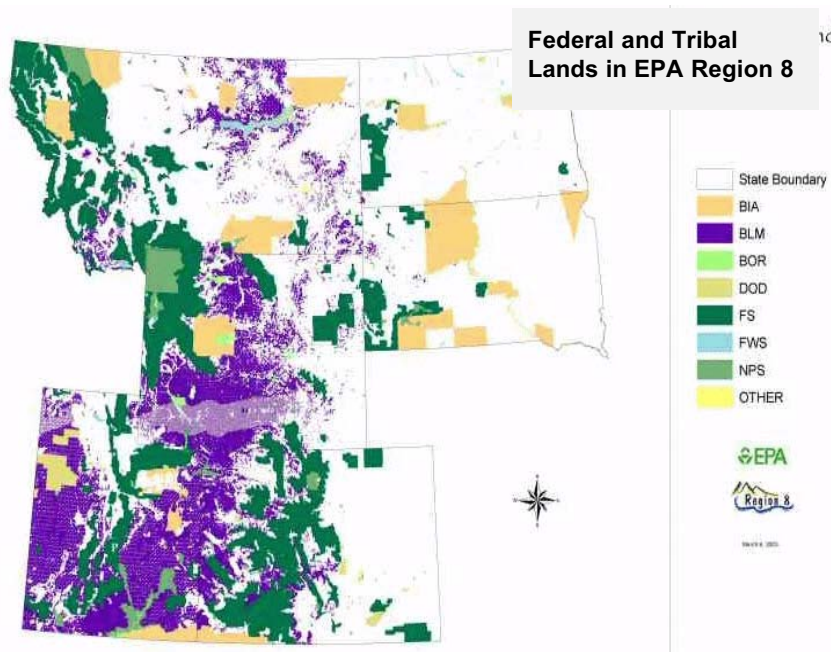
### Introduction

The Environmental Protection Agency (EPA) has been working to protect human health and the environment for more than three decades. EPA's Region 8 office in Denver carries out that mission in Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming and 27 sovereign tribal nations. We share this challenging work with many partners – state, local and tribal governments, businesses, non-governmental organizations, communities and individuals.

EPA Region 8 is unique. Our state and tribal lands encompass the heart of the American West, including much of the Rocky Mountains, Great Plains and Colorado Plateau. Over two-thirds of our roughly 10 million people live in two distinct bands of urban development – Colorado's Front Range and Utah's Wasatch Front. These areas, along with a few isolated cities and towns, are experiencing rapid population growth. The Region is also home to some of the most rural counties in the nation. Characterized by vast open spaces– mountains, plains, canyons and deserts – and small, concentrated population centers, these areas still maintain some of the wild, frontier character that many associate with the West. They also contain many of our nation's most recognizable landscapes, including Yellowstone, Glacier, Rocky Mountain, Badlands, Zion, and dozens more National Parks and Monuments, millions of acres of forests, and still more range, farm and grassland.

Our Region is also arid, placing a premium on the availability and quality of water resources to meet competing demands from farmers, municipalities and recreationists as well as ecological needs. Many rivers originate in the Rocky Mountain States including the Missouri, Rio Grande, Colorado, Arkansas and Platte Rivers; their waters are vital sources of life for people, plants and animals.

Land ownership patterns also influence EPA's work in Region 8. Public lands – including those managed by the US Forest Service, the Bureau of Land Management and the National Park Service – comprise over one-third of the land area in our Region, making EPA's success dependent on our ability to work with other federal agencies. Tribal nations, which collectively cover an area greater than the size of Tennessee, are also prominent. EPA



Region 8 works closely with each of these 27 sovereign nations to protect human health and safeguard the natural environment.

Above all, our Region is defined by an abundance of natural resources, from natural gas, coal and oil deposits to vast expanses of wilderness rich in natural diversity. These resources support our states, tribes and local communities and are a vital part of our regional and national identity. Region 8's economies – including agriculture, energy development, mining, recreation and tourism – thrive on these resources.

### **EPA's statutes and our work with states and tribes**

Since its inception, EPA has been given authority to implement and enforce numerous federal laws and regulations, which have given rise to programs that protect human health and the environment. These laws, listed below, focus on protecting our air, water, land, food and ecosystems.

<b>Statute</b>	<b>Provisions</b>
<b>Asbestos School Hazard Abatement Act and Asbestos Hazard Emergency Response</b>	<b>Authorizes EPA to establish regulatory framework for controlling asbestos hazards in schools.</b>
<b>Clean Air Act</b>	<b>Authorizes EPA to set emissions standards to limit the release of criteria pollutants and hazardous air pollutants.</b>
<b>Clean Water Act</b>	<b>Requires EPA and states to establish list of water pollutants, set standards and identify impaired waters.</b>
<b>Comprehensive Environmental Response, Compensation, and Liability Act (Superfund)</b>	<b>Requires EPA to designate hazardous substances and authorizes the cleanup of contaminated sites.</b>
<b>Emergency Planning and Community Right-to-Know Act</b>	<b>Requires states to respond to hazardous chemical releases and industries to report on the presence/release of hazardous substances.</b>
<b>Endangered Species Act</b>	<b>Requires EPA consultation with Fish and Wildlife Service to ensure its actions do not adversely affect listed species or critical habitat.</b>
<b>Federal Food, Drug, and Cosmetic Act</b>	<b>Authorizes EPA, with FDA, to establish tolerance levels for pesticide residues on food.</b>
<b>Federal Insecticide, Fungicide, and Rodenticide Act</b>	<b>Authorizes EPA to register pesticides, specify terms and conditions of their use, and remove hazardous pesticides from the market place.</b>
<b>National Environmental Education Act</b>	<b>Provides for education on the environment to encourage students to pursue careers related to the environment.</b>
<b>National Environmental Policy Act</b>	<b>Provides national policy requiring environmental impact</b>

	<b>statements describing potentially adverse effects of, and alternatives to any major Federal action. Established the Council on Environmental Quality.</b>
<b>Oil Pollution Act of 1990</b>	<b>Makes EPA responsible for oil spill prevention, preparedness, response, and enforcement activities associated with non-transportation related onshore oil facilities.</b>
<b>Pollution Prevention Act</b>	<b>Provides that pollution should be prevented or reduced at the source, or recycled, treated or disposed of safely when not preventable.</b>
<b>Resource Conservation and Recovery Act and Solid Water Disposal Act</b>	<b>Authorizes EPA to identify hazardous wastes and regulate their generation, transportation, treatment, storage, and disposal.</b>
<b>Safe Drinking Water Act</b>	<b>Requires EPA to set drinking water standards to protect public health from hazardous substances.</b>
<b>Toxic Substances Control Act</b>	<b>Requires EPA notification of any new chemical prior to its manufacture and authorizes EPA to regulate production, use, or disposal.</b>

EPA delegates the responsibility for implementing and enforcing many environmental laws to those states and tribes with a desire and ability to do so. In these situations, EPA's role is focused on technical assistance and oversight. Congress, however, has specified that some environmental laws, like Superfund, are to be primarily implemented by EPA. For these laws, EPA Regional offices implement programs directly. EPA Region 8 has a large workload associated with directly implementing many core environmental programs.

## **Region 8 Successes**

Since 1970, EPA's efforts to implement and enforce environmental laws have achieved remarkable success protecting human health and the environment. Nationally, our air is cleaner, our water is purer, our drinking water and food are safer, and our land is cleaner than when we started. And here in Region 8, EPA, states and tribes have also achieved impressive results.

Air is dramatically cleaner. Region-wide, air monitoring trend data from 1981-2001 indicate that carbon monoxide concentrations have been cut by 68 percent, lead by 96 percent, sulfur dioxide by 41 percent, particulate matter by 22 percent and ozone by 15 percent. The Region's biggest urban areas, Denver and Salt Lake City, have made dramatic strides in reducing air pollution due to controls on automobiles and industry. Denver, which routinely violated federal air standards in the 1970s, recently celebrated reaching attainment for each of the six major air pollutants regulated by the Clean Air Act. Success is not just limited to urban areas. The air is also cleaner in many smaller cities like Great Falls, Montana, where carbon monoxide concentrations have been cut by 50 percent since 1987.

Water is purer. Since 1972, permit programs that limit pollution have significantly improved water quality in rivers and lakes across the region, leading to water that is safer for swimming,

fishing and drinking. More than 2,000 pollution sources are covered under these programs, preventing millions of pounds of pollutants from entering Region 8's waters each year. Other programs to protect and restore ground and surface waters have led to cleanups at over 14,000 leaking underground storage tanks in our states and tribal lands, have helped communities revitalize rivers and streams across the Missouri, Colorado, Rio Grande and Platte River basins, and have contained and eliminated risks to local water resources at thousands of hazardous waste sites. In addition, drinking water rules and regulations – and EPA's technical and financial support to help water systems meet them – have assured that well over 95 percent of the Region's population consistently receives water that meets all health-based standards.

Land is better protected. EPA Region 8's Superfund program has successfully cleaned up or is in the process of cleaning up more than 50 sites with serious hazardous waste contamination, including former mine and smelter operations, federal military facilities, and other areas heavily contaminated by past industrial activity. Many of these sites are now back in productive use. EPA Region 8 also administers other programs to protect land. Region 8's hazardous waste program, for example, regulates facilities that use or produce dangerous substances and uses a cradle-to-grave waste management system that oversees their proper reuse or disposal. The Region's National Environmental Policy Act (NEPA) team has reviewed hundreds of projects on federal lands to make sure that the development and use of forests, grasslands and other sensitive natural areas minimizes environmental impacts.

EPA Region 8 shares this record of success with our state and tribal partners who have worked beside us to achieve environmental results. The work that state agencies and tribal governments do each day has been and will continue to be critical in achieving human health and environmental goals.

As environmental issues change in nature and context, so must we. Persistent and emerging challenges will require the strength of existing laws as well as innovative approaches. Ozone, for example, is re-emerging as an air pollution problem in some of our most populated areas. The clear vistas we enjoy at our parks and forests are threatened by new sources of air pollution. Runoff from mines, farms, and urban and suburban streets remains a stubborn source of water pollution. New, health-based drinking water standards are proving difficult to reach and costly to implement. Responsibilities associated with homeland security have added heavy workloads to environmental programs.

While there is important work to be done in many areas, EPA Region 8 has identified five distinct priorities that we will focus on with our partners in upcoming years. These are broad areas that cut across individual programs to include multiple issues and activities. They reflect issues common to most or all of our states and tribes. Collectively, they make up the context in which we will work with our partners to achieve and maintain cleaner air, purer water, and better protected land and ecosystems for years to come.

It is important to note that these Regional priorities do not diminish the importance of specific

priorities identified by our state and tribal partners. EPA will continue to support work in these areas, which are addressed in detail in Section 5 of this Plan.

## **Region 8 Priorities**

### **Agriculture**

In terms of geography, agricultural activities represent the largest land use and the most widespread set of potential impacts on the environment in our Region. Agriculture, and the industries it supports, is also one of the most important economic sectors for our states and tribes. With over half of EPA Region 8's land area devoted to crop and livestock production, our ability to help and encourage ranchers and farmers to practice environmental stewardship is critical.



Many environmental challenges are associated with agriculture. For example, a number of our rivers and streams are polluted with sediments, nutrients and pathogens that run off of fields and pastures. In some areas, pesticides have leached through soils and into ground water. The trend towards large-scale farming, particularly animal feedlots, presents challenges associated with the management of large volumes of animal waste. Drought conditions in many of our states and tribal lands are placing economic strains on producers and increasing water quality concerns. The spread of Chronic Wasting Disease in deer and elk in Region 8 and the recent discovery of Bovine Spongiform Encephalopathy in one cow in Washington are important concerns for regional livestock producers, government agencies and animal health professionals.

Region 8's objectives include developing effective partnerships and ensuring the adequacy of programs that address agricultural impacts. The Region is committed to forging strong relationships with producers, federal, state and local agencies and others to enable agricultural economies to thrive while improving environmental performance. This includes work with partners to implement the new Concentrated Animal Feeding Operations (CAFO) rules, promote pollution prevention on farms and within agribusiness, encourage stewardship and conservation practices for agricultural lands, assess the potential impacts of biotechnology, and assist in the development of environmental management systems within agricultural businesses.

### **Direct Implementation of Environmental Programs**

EPA Region 8 has a large workload directed toward implementing environmental programs on tribal lands, in states that have not accepted program delegation for certain programs, and for programs that legislation does not allow us to delegate. Our Region is home to 27 tribal nations with a land area of 15 million acres. In almost all cases, EPA Region 8 is charged with implementing the full range of environmental programs on these tribal lands. Region 8 staff also implement many programs or portions of programs in states, including the bulk of the Safe Drinking Water program in Wyoming. In addition, the Region implements Superfund, Radon,

Underground Injection Control, Total Maximum Daily Load, Toxic Release Inventory and other programs, many of which legislation does not allow us to delegate to states.



Meeting these direct implementation responsibilities is critical to the protection of human health and the environment in Region 8. This challenge will continue to demand our attention and a large share of our resources, especially as increased activities in sectors such as energy and agriculture add workloads to programs. Region 8 also has a responsibility to make sure environmental programs protect sensitive and at-risk populations, including children, the aged, farm workers, low-income families and other groups that may be disproportionately affected by environmental impacts.

EPA Region 8 is also committed to helping our partners develop and maintain effective environmental programs. Immediate concerns relate to state budget shortfalls caused by prolonged, difficult economic conditions. Many state environmental programs continue to struggle with budget reductions. EPA may be able to offer short-term assistance by directly implementing limited portions of programs, thereby helping states maintain their authorizations. In Indian Country – where EPA is still the primary authority for environmental programs – the Region will continue to focus on delivering adequate programs and developing tribal capacity. We also recognize the environmental and economic impacts of the current drought and will seek to ease drought-related burdens through direct implementation responsibilities and financial and technical assistance to states and tribes.

In the long term, EPA Region 8 will continue to implement effective environmental programs that yield tangible environmental and human health benefits. EPA will assist states with delegated programs as appropriate. On tribal lands, our goal is to help tribes develop the necessary resources and expertise to assume more programs.

## **Energy**

EPA Region 8's six states and 27 tribal nations collectively contain extensive fossil fuel and renewable energy resources – so extensive that the Region is in many ways the center of the nation's energy future. With the current emphasis on resource extraction and electricity production to meet growing demand and foster national security, energy projects in our Region are increasing. More mines and wells are being developed, more power plants are being built, and more pipelines and transmission lines are being constructed.

EPA Region 8's programs protect air, water, land and ecosystems from the potential impacts of energy development and production.





Specific objectives include making sure that air quality and visibility are not degraded by power plant emissions; rivers, drinking water sources and ground water are protected from polluted runoff and wastes; and ecosystems and wetlands are preserved as infrastructure expands. Strengthening partnerships is also critical. Region 8 is engaged with federal agencies and states through the Rocky Mountain Energy Council – a coordinated effort to increase efficiencies in the review and permitting of energy activities. These partnerships will maximize resources and expedite and ensure environmentally protective development.

Promoting energy efficiency and renewable energy resources are important components of our energy priority. Many areas in our Region are beginning to tap vast wind-energy potential through the construction of wind turbines and transmission lines. EPA Region 8 is encouraging these types of projects by incorporating them into enforcement settlements and by sharing information and technical assistance to partners. In addition, EPA programs such as ENERGY STAR® promote energy efficiency in homes, businesses and public places. This work achieves substantial energy and cost savings as well as pollution reductions. Through greater efficiency and the development of cleaner sources, we can help meet growing energy demands and protect the environment.

Our energy strategy goals are as follows:

Goal 1: Ensure efficient and timely environmental decisions about energy projects.

Goal 2: Continue to meet environmental requirements and maintain or improve environmental quality with respect to energy projects.

Goal 3: Promote energy efficiency and renewable energy.

Goal 4: Strengthen environment and energy partnerships with co-regulators and other stakeholders.



### **Homeland Security**

As part of the federal government's efforts to improve preparedness and the ability to respond to terrorist attacks, EPA has been called upon to play a strategic role in homeland security. The President has delegated to EPA the responsibility for safeguarding the nation's drinking water supplies and delivery systems and to take the lead on responding to biological, chemical and hazardous waste risks posed by potential terrorist attacks.

One of EPA's most important roles is responding to emergencies. EPA provided time-critical responses to the attacks on the World Trade Center and the anthrax contamination on Capitol Hill. In the event of an attack or a disaster, our Region is ready to provide technical expertise, emergency response and further protection for any threats to health and environment. EPA Region 8 possesses unique capabilities to collect, synthesize, interpret and communicate complex information about possible contaminants and the condition of the environment. These include highly skilled emergency

response coordinators, extensive links to state and local responders and sophisticated laboratory analysis and monitoring skills. Region 8 has also established a Regional Operations Center focused on emergency communications and coordination.

Prevention and safeguarding vulnerable infrastructure and materials is also an important part of our homeland security mandate. Region 8 has taken steps to promote security awareness for industrial and municipal facilities, as well as businesses and communities. We will continue to work with our federal, state, tribal and local partners to improve our ability to prevent, prepare for and respond to any types of incidents that threaten human health and the environment.

Our Region's objectives in this area focus on strengthening the communications network we have established with federal, state and local response authorities; enhancing expertise and readiness through training and coordinated exercises; and taking additional steps to secure infrastructure and hazardous materials. In the long term, our efforts will minimize the likelihood of terrorist incidents and assure our ability to provide time-critical and coordinated responses to any incidents that do occur.

### **Revitalization**

"Revitalization" is a term EPA uses to describe efforts to bring impaired ecosystems and polluted areas back into productive use. By restoring land and water to productive use, EPA and our partners are helping secure a sustainable quality of life for future generations. The revitalization initiative emphasizes that cleanup and reuse are mutually supportive goals. It emphasizes that property reuse be part of how EPA operates in support of state, tribal and local efforts to create and protect green spaces, natural areas and scenic landscapes, while minimizing undesired sprawl and encouraging economic reinvigoration.



Traditionally, the Superfund and Resource Conservation and Recovery Act programs have been responsible for cleaning up many of the Region's contaminated sites. Many of these are high risk sites, with long and costly cleanups. More recently, the Leaking Underground Storage Tank (LUST) and Superfund Brownfields programs have filled a much needed niche for smaller, faster, community revitalization efforts. In addition to these programs, activities under the Urban Rivers Restoration Initiative as well as the Clean Water Act's Non Point Source, Wetlands and Watershed Initiative, Total Maximum Daily Load and Water Quality programs (including source water and ground water protection programs) help states, tribes and local governments





revitalize communities with millions of dollars worth of technical assistance and economic grants.

Region 8 has had many successes that emulate the revitalization initiative agenda (e.g., see before and after pictures of Utah's Gateway District revitalization, above). More can be done. The challenge is to achieve these types of successes, more often and as a normal course of operations.

Together with our state, tribal and local partners, Region 8 will strategically focus existing multi-program planning. We will achieve environmental results at remediation, restoration and reuse sites, as well as at watershed restoration areas. As an example, EPA is focusing on integrating watershed activities and Superfund site assessments at Left Hand Watershed, San Juan Mountains Geographic Focus Area, among other sites. As a result, sites will be assessed comprehensively to determine the extent and sources of contamination and, if necessary, be cleaned up and restored using various resources. This will provide more certainty and comfort to state, tribes, local governments, communities and businesses about land and water resources and their readiness for reuse.

Region 8 has adopted a set of goals to achieve even more measurable results and to further the understanding of its Revitalization Initiative. These goals include:

- Achieve effective outreach, communication and education for all revitalization activities.
- Achieve effective on-the-ground results, that are part of the Revitalization Initiative, in geographic pilot projects and at site specific locations.
- Establish revitalization as a new operations model and as a part of our job.

In addition, Region 8 has developed criteria to guide decision making and measure success in the pursuit of revitalization goals. These criteria identify the most important steps our programs need to take in order to fully realize revitalization goals. They include:

- Early and intentional multi-program integration of cleanup activities
- Innovative approaches for revitalizing sites, communities, watersheds and ecosystems
- Early and intentional planning for reuse at the beginning of projects
- Clearly measurable improved environmental and human health results.